

Q&A RFP 21-08 ISP TEA Connect Program

1. Is this RFP for only Region 4 ESC area schools to participate in, or is the contract for any k-12 to take advantage of in Texas?

Answer: All K-12 schools in Texas.

2. Is there a page limit for an offerer's proposal in response to this solicitation?

Answer: No.

3. The proposal specifies wired solutions and does not address non-wired solutions:
 - a. Can a bidder respond with a non-wired solution and point out deviations from the requirements? This could be advantageous in cost and speed of implementation especially in less urban areas.

Answer: Respondents can provide non-wired solutions as long as they are fixed home-based solutions that meet the other service requirements.

- b. If a bidder can meet the minimum speed, uptime, and unlimited data requirements through a combination of wired and wireless technologies (hybrid system) can this be acceptable?

Answer: Yes, a hybrid solution is acceptable as long as it is a fixed home-based solution and that it meets all other service requirements.

- c. Are the specifications for the service absolute or will bids be considered that meet the specifications to various extents?

Answer: Other specifications will be considered if they exceed the bid specifications. The only exception to this will be if no service that meets the bid specifications is available in a clearly and narrowly defined geographic area and if the respondent is able to provide near and medium-term solutions that ensure that if initial service is below bid specifications, it will be elevated to meet or exceed bid specifications within no more than 364 days or less from the date of the contract.

4. Will you provide a map/geolocation of the homes to be connected?

- a. Is the RFP to provide internet services to 1) Region 4 or 2) throughout the entire State of Texas on an area by area basis?

Answer: The RFP is for the entire State of Texas and respondents are expected to submit bids that are regions by region specific with as much geographic specificity as is possible. Respondents should assume that service students reside in all geographic regions of the state of Texas and as such their bids should cover all regions for which their service is able to meet bid specifications.

- b. Can we bid certain of these homes and not others?

Answer: Specific home addresses will not be provided during the RFP bid process. Please use the geographic parameters outlined in the RFP and in the answers to the questions above.

c. Are there priority areas that need to be connected sooner than others?

Answer: Please use the geographic parameters outlined in the RFP and in the answers to the questions above

5. Question: If such a hybrid approach is permitted, how can a bidder obtain authority to approach other members in the same industry without violating the Antitrust Certification Statement(#4)?

Answer: Respondents who wish to develop hybrid solutions for their bids, per anti-trust provisions, can only collaborate or partner with providers who deliver internet service through a different delivery technology such as wireless vs wired or wireless vs satellite and would therefore not be viewed as direct competitors that offer identical products or services.

6. Can you please tell me what the administration fee is for this project for those vendors that are selected?

Answer: It is 3%. See Exhibit A, 1.2 Marketing, Sales and Administrative Support.

7. How can I find out if there is such a program available in Region 6?

Answer: The TEA Connect Program will be available to ALL regions across the state, including Region 6.

8. With regards to the Managed Services piece of this RFP – will a Managed Services offering be accepted by a VAR and not an ISP that responds. If accepted – will the Help Desk Services provided be Level 1, 2 and/or 3 for both ISP assistance and local infrastructure within the home and/or District?

Answer: All customer service requests coming directly from service users that do not require a service visit to the home will be handled exclusively by the LEAs. ISPs submitting proposals will then be expected to handle all LEA customer requests and plans for doing so should be included in their proposals. Additionally, Home visits should be coordinated by the LEA with the ISP.

9. Is it expected for the vendor to provide the internet service along with the connectivity or can the vendor use district internet services to build the network?

Answer: Hybrid collaborative solutions are allowed, but the final bid proposal must provide a solution that includes internet service. However, options that consider using district internet services to build the network will not be considered.

Does the network have to be a fixed wired solution or can it be a wireless solution?

Answer: Fixed wireless solutions are acceptable for this RFP. This is true for ALL Fixed wireless solutions.

10. On Page 3 of the RFP, it states that services include internet service and any necessary equipment to provide wired broadband service. Does this exclude any fixed wireless solutions?

Answer: Fixed wireless solutions are NOT excluded from this RFP. This is true for ALL Fixed wireless solutions.

Do we include the price for content filtering in the price we quote per household or is this to be quoted separately?

Answer: The price for content filtering can be quoted either way, as long as it is included in the bid per bid specifications.

Is there a KMZ or map/plotter for the unserved students?

Answer: Respondents should assume that there are applicable unserved students in all geographies and regions across Texas.

11. **Section IV.2.a)** On what basis would we have to accept lower pricing under the "Not to Exceed" pricing structure - what factors determine that?

Answer: Offerors are encouraged to propose a pricing structure that makes sense for their line of products and services. Offeror's pricing solution should include conditions for which they may provide a lower price.

12. **Section IV.3.d)** Has a competitive range been declared, and if not, how/where/by when would we receive a notice if one were declared?

Answer: During the evaluation of the received responses, Region 4 may determine a competitive range is needed. At that time Offeror's will be notified.

Would the competitive range be in relation to total project cost, cost/student, or something else?

Answer: The competitive range would be determined based on the evaluation criteria stated in the RFP.

13. **Miscellaneous:**

What, if any, is the procedure for asking follow-on questions to responses provided by Region 4 to the questions submitted by the April 21st deadline?

Answer: The procedure for submitting any questions is as stated in the RFP.

Will responses to follow-on questions submitted be included in the list of Q&A questions on the OMNIA website?

Answer: Yes.

Does this procedure extend to additional clarification questions as we fill out the application? If not, does such a procedure exist?

Answer: The procedure for submitting any questions is as stated in the RFP.

14. How do we coordinate installation and obtain easement?

Answer: Installation will be coordinated by the LEA. TEA Connect Texas will be responsible for obtaining all applicable permissions and will provide those to the LEA and the corresponding ISP.

15. How does customer and technical support work? Do we provide that to the schools or to the students/families?

Answer: Customer Support of student families will be managed by the LEA. ISPs will be responsible for providing non-site-based customer support to the LEAs and will not directly interact with families unless a home site visit is required. Such customer support home-site visits will be coordinated by LEAs with ISP.

16. Once a student/family is identified to receive service, what are the timeframes to be installed and connected?

Answer: Once a student/family is identified to receive service, installation must take place within 30 days and connection must take place within 48 hours of installation.

17. Is there a workflow published on how this program will work starting from once the student/family is qualified for service all the way to providing internet service to that family and how day to day billing, customer, and technical service/communication will be handled and who is authorized on the account?

Answer: The workflow has not been finalized at this time, but it is anticipated that there will be a digital portal in place to support the sharing of information/permissions between the TEACT team, LEAs and respondents.

18. Who signs our agreement, privacy policy, T&Cs, easement?

Answer: Region 4 will sign respondent's contract.

19. Is this a month to month service, service only provided during the school term, or year-round?

Answer: This service is for 1 year paid up front, with termination and credit terms provided by the respondent for circumstances in which the LEA must terminate that service prior to the conclusion of the 1 year period.

20. Number 6, in part states Upgradable Services. Are not Eligible for additional or upgradable services such as television, phone and Higher Speed Internet Services. Most of the companies I am helping concur in FCC #5 tariff which requires an end user to have a phone line in order to provide the internet service. Therefore, we have to quote with a phone line as my clients do not sell data only lines. Does this disqualify the company if a phone line is required.

Answer: This does not disqualify the company as it is a necessary part of service delivery.

21. If a customer already has an existing account for broadband service and their service provider is selected to participate in the Connect Texas Program and the customer meets program eligibility requirements:

Will the account be switched over to participate in the program automatically?

Answer: If a customer already has service with the provider selected they will not be considered eligible for the TEA Connect Texas Program

Will the account be switched over only upon customer consent?

Answer: Please see answer above

Or would they not be considered eligible to participate because they already have broadband Internet service?

Answer: They would not be considered eligible for the TEA Connect Texas program because they already had service with the provider selected

22. If a customer is switched over (either automatically or upon customer consent) what are the account migration procedures?

Answer: Please see answers above

23. The Texas Telephone Association (TTA) is a diverse organization with membership ranging from publicly traded corporations to small businesses and cooperatives. Our 40 member companies reach over 1.4 million households and serve 55% of the state. Would it be possible for TTA to submit one bid with statewide reach for a consortium of our members?

Answer: No, each provider must submit an individual response to the RFP. Additionally, under Texas Government Code § 2155.005 antitrust stipulations that are part of the RFP, each respondent must certify that "Neither I nor any representative of the Company has directly or indirectly communicated any of the contents of this proposal to a competitor of the Company or any other company, corporation, firm, partnership or individual engaged in the same line of business as the Company."

24. Many of our member companies are cooperatives, meaning the customers they serve are also members (partial owners) the cooperative. This entitles the members to capital credits in the cooperative. Under the Region 4 RFPO, who will be the member of the cooperative? Region 4, local ISD, or the student receiving the benefit of the grant money?

Answer: Region 4 does not intend to join any electric cooperatives.

25. The Legislature is considering bills creating a statewide broadband office, which is charged with creating a statewide broadband plan. How will this grant be affected by that plan and will it be coordinated by the state broadband office?

Answer: This program will be implemented by Region ESC on behalf of the TEA. At this time the legislation being considered by both the House and the Senate to establish a Statewide Broadband office and the creation of the statewide broadband plan does not include Broadband Office oversight of this program. This will not be the definitive answer until session has closed later this year.

26. On Exhibits B through F (OMNIA Partners Documents)— do we submit these forms with our response? If so, please clarify – do we fill in the blanks and if so, do we fill in all the blanks?

Answer: Offerors shall include with their response Exhibits B, F, and G. The others are informational only. If applicable, Exhibit B may be redlined with alternative terms for consideration.

27. Contract is for three years. Can we update our service area within that three years or are we bound to what we originally submit in the RFP?

Answer: Yes, respondents will have the opportunity to update only their geographic coverage on an annual basis.

28. I am reaching out in regard to RFP 21-08. Here at TexConnect Communications, LLC we work on behalf of over 70 internet service providers and telecommunications carriers as a Solutions Provider. In order for us to adequately quote the service you will be needing; we will need a general idea of the service territory. If you could provide Zip Codes, Counties, School Districts, etc. that will need service, that would tremendously help us. Is there any way we could get this information from you?

Answer: Respondents are expected to assume that there are students who are eligible for the TEA Connect Program in every geographic region of the State of Texas. Respondents should provide responses for any and all geographies for which they can provide service that meets the Bid Specifications.

29. Who is responsible for managing the CIPA profile – the ISP, Region 4 or the school district?

Answer: The ISP, at the direction of Region 4, will manage CIPA profiles to meet CIPA standards as set by the FCC.

30. Can an ISP provide the content filtering for another ISP who cannot provide the service internally?

Answer: No, one ISP can not provide the content filtering for another ISP.

31. Due to the sensitive nature of some of the security information that Region 4 Education Service Center- RFP-Solicitation Number 21-08 is requesting, Windstream Services, LLC (aka Kinetics by Windstream) is requesting that Region 4 execute a NON-DISCLOSURE AGREEMENT.

A. Customer wishes to access certain Confidential Information and Trade Secrets of Windstream due to regulatory and legal requirements applicable to Customer's business.

B. In order to protect Windstream's substantial investment in its Confidential Information and Trade Secrets, Customer agrees to abide by the terms and conditions of this Agreement in order to have access to Windstream's Confidential Information and Trade Secrets.

Answer: No, Region 4 ESC can not sign an NDA. Should a Public Information Request be submitted to Region 4 regarding this RFP, the respondent will be notified so that the respondent can petition the Office of the Attorney General to have their information treated as privileged and exempt data.

32. Will Region 4 ESC be willing to accept DocuSign signed documents, or do the signatures have to be in long hand?

Answer: DocuSign is acceptable

33. Will there be any additional site (service) addressees published?

Answer: No

34. With the RFP due date being extended, will the Q & A deadline also be extended?

Answer: Please refer to Addendum No. 1

35. The RFP references a relationship requirement with OMNIA partners. This requirement indicates that any member of OMNIA can procure services off this agreement regardless of geography. Is it the intention of this RFP for the vendor community to develop a national program with OMNIA or is that component optional? Is the TEA open to a direct contracting relationship exclusive of the OMNIA partnership?

Answer: The RFP and resulting contract is specific to Texas only. Region 4 has a long standing partnership with OMNIA Partners to connect public agencies, such as school districts in Texas, to publicly competed contracts awarded by Region 4. Should suppliers take exception to the OMNIA partnership, they should do so in the format described in the RFP, Appendix B, for taking exception to terms and conditions. Any exceptions, including those to the OMNIA Partners portion, will be reviewed by Region 4. Region 4 ESC shall be the sole judge on the acceptance of exceptions and modifications and the decision shall be final.

36. Upon contracting will the customer of record be TEA or ESC Region IV?

Answer: As shown on the Offer and Contract Signature Form, Region 4 ESC will be the contract holder.

37. Will ESC Region IV extend the due date beyond May 4th?

Answer: See Addendum #1.

38. Is the 3% fee for OMNIA partners applicable for LEA sales?

Answer: Yes. The 3% administration fee is imposed on all Purchase Orders issued under the awarded contract. Should the supplier wish to take exception to this, they may propose to do so in Appendix B.

39. With regard to 24x7x365 customer/technical support, will Provider be receiving questions for providing customer/technical support directly from students? If not, from whom will the questions for customer/technical support come from?

Answer: Refer to Q&A # 15

40. Reading through the RFP I do not see that there is a general number of student premises the program intends to serve? This information, and perhaps a high level map that plots the serviceable locations, would be helpful in determining our cost and capability to serve. My understanding of the RFP is to provide Internet service to student residences.

Answer: TEA Connect Texas currently estimates that there are approximately 1.5 million households of economically disadvantaged students who currently have access to high speed internet but have not yet adopted that service. This is the estimated number of households that this program intends to serve at this time.

41. Furthermore, in the RFP definition I see the TEA Texas Connect program states “wired” broadband Internet service, however the RFP also states all new sources of Internet connections are contemplated and included in the scope. Does this mean non-wired services such as fixed wireless and low earth orbit satellite will be considered?

Answer: All Fixed wireless solutions are allowed for submission for this RFP. This includes non-wired services such as fixed wireless and low earth orbit satellite solutions.

42. What are our options for submitting this RFP since its statewide and normal practice is for hand delivery? Is there an electronic option to submit for those hours away from Houston?

Answer: Electronic submissions is not an option. Proposals may be sent via courier, mail or at the Offerors discretion. Please refer to cover pages, 2nd paragraph of the RFP document.

43. Is there some type of bidding weight for someone bidding 25x3 at a price vs someone bidding 100x25 for example? How are the speeds vs cost negotiated? Who is doing the negotiation in regards to this or is it you only get to submit a bid there is no “back and forth” per say?

Answer: Refer to Section IV Evaluation Process and Criteria for predetermined weight per category; refer to Section III Instructions to Offerors; section 18 regarding negotiations.

44. How are you weeding out bids for providers that do not have service in an area but claim they do, since this is not for a “network construction: RFP but for an “immediate providing of service” RFP?

Answer: All proposals submitted by the due date & time will be accepted and evaluated per the evaluation criteria set forth in the RFP